IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5356 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.SHAH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

KALIDAS HIRABHAI PARMAR

Versus

STATE OF GUJARAT

Appearance:

MR YV BRAHMBHATT for Petitioners

DS AFF.NOT FILED (R) for Respondent No. 1, 2, 3, 4

CORAM : MR.JUSTICE M.S.SHAH

Date of decision: 28/03/2000

ORAL JUDGEMENT

The petitioners were elected as members of the Agricultural Produce Market Committee, Matar in the year 1996. The first meeting for the purpose of electing the Chairman and Vice Chairman of the Committee was held on 28.3.1996 and petitioner No. 1 was elected as the Chairman and petitioner No. 1 was elected as the Vice Chairman of the Committee. In this petition under

Article 226 of the Constitution, the petitioners challenged the decision taken by the respondent authorities to dissolve the Agricultural Produce Market Committee, Matar and to appoint new members in place of the petitioners. The challenge raised in this petition was that the petitioners were elected for a period of four years and, therefore, it was not open to the respondents to nominate other members by replacing the petitioners.

2. By the time the petition has come up for hearing today, the period of four years has already expired on 26.3.2000 and it is, therefore, obvious that the petition has become infructuous. Hence, the petition is disposed of as infructuous.

Rule is discharged. There shall be no order as to costs.

March 27, 2000 (M.S. Shah, J.)
sundar/-